



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1

1 CONGRESS STREET, SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023

Jeanne

May 10, 2001

Arthur J. Rocque, Jr., Commissioner
Department of Environmental Protection
79 Elm Street
Hartford, Connecticut 06106

Re: Water Quality Standards revisions relative to marine dissolved oxygen criteria

Dear Commissioner Rocque:

EPA New England has completed its review of the Department of Environmental Protection's (DEP) revisions to the marine dissolved oxygen criteria in its surface water quality standards. The revisions were adopted February 21, 2001 and are as outlined in the attachment to DEP's February 22, 2001 submittal letter and the accompanying "Statement of Reasons" and "Addendum: Statement of Reasons." The revisions were certified by Connecticut's Assistant Attorney General on January 31, 2001 as having been legally adopted pursuant to state law.

We commend DEP for its approach of adopting criteria consistent with EPA's *Ambient Water Quality Criteria for Dissolved Oxygen (Saltwater): Cape Cod to Cape Hatteras* (US EPA 2000) while maintaining the previous saltwater dissolved oxygen criteria where DEP believes that those earlier more stringent criteria are either attained or attainable. This approach will assist the ongoing efforts to protect the aquatic resources of Long Island Sound.

I hereby approve the revised standards for marine dissolved oxygen that DEP has adopted. This approval is made pursuant to Section 303(c) of the Clean Water Act and 40 CFR Part 131, and is based on my determination that the approved revisions are consistent with the requirements of Section 303 of the Act.

We understand that you intend to submit a more extensive package of revisions to Connecticut's surface water quality standards in the near future, and that those revisions will address many of the comments EPA forwarded by letter of June 16, 2000. We also believe the process would be best served if we are given an opportunity to review any proposed revisions prior to adoption by DEP. To the extent that our comments of June 16, 2000 are not addressed in their entirety in those revisions, we request that DEP's submittal include a plan and schedule for addressing the remaining comments.

My staff and I look forward to continued cooperation with the DEP in developing water quality standards as a part of our responsibilities under the Clean Water Act. Please contact me or either Jeanne Voorhees (617-918-1686) or Bill Beckwith (617-918-1544) of my staff if you have any questions.

Sincerely,

Susan Studlien, acting director

Linda Murphy, Director
Office of Ecosystem Protection

cc: Robert Smith, CT DEP
Fred Banach, CT DEP
Vernon Lang, USF&WS
Mary Colligan, NMFS
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